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March 17, 2008

Yosemite Creek Superfund Site (E.I. du Pont de
Nemours and Company)

VIA U.S. MAIL

Daniel Meer, Branch Chief
Response, Planning and Assessment Branch
Superfund Division
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75 Hawthorne Street
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Chris Reiner, SFD 9-4
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Michael Massey
U.S. EPA Region 9
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75 Hawthorne Street
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San Francisco, CA 94105

Dear Messrs Meer, Reiner and Massey:

My firm had been retained by E.I. du Pont de Nemours and Company ("DuPont") to investigate and respond to the EPA's February 21, 2008 letter regarding "General Notice of Potential Liability - Yosemite Creek Superfund Site."


DuPont is in the process of attempting to retrieve historic documents and information regarding the Bay Area Drum site. Based on the limited information currently available, we understand that DuPont was a de minimus PRP generator at the Bay Area Drum site and entered into a de minimus settlement buy-out agreement with the large-volume PRP group which ultimately oversaw the remediation of the site. We are still in the process of retrieving the settlement agreement (which was entered into more than a decade ago), but have been informed that it contains an indemnity clause in DuPont's favor.

Daniel Meer, Branch Chief
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Michael Massey
March 17, 2008
Page 2

We request that DuPont be granted a 45-day extension to respond further to the notice letter. This should allow us to continue gathering the historic information and coordinate with the other Bay Area Drum PRPs as requested in notice letter.

Please let me know if the EPA objects to this request. In the meantime, should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,


Andrew T. Mortl